

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

PHILLIP HAROLD BATES,

Plaintiff,

Case No. 1:15-cv-739

v.

HONORABLE PAUL L. MALONEY

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

/

**ORDER ADOPTING REPORT AND RECOMMENDATION**

Plaintiff has filed a supplemental motion for attorney fees pursuant to Section 406(b). The matter was referred to the Magistrate Judge, who issued a Report and Recommendation on October 26, 2020, recommending that this Court grant the motion in part and deny the motion in part. The Report and Recommendation was duly served on the parties. No objections have been filed. *See* 28 U.S.C. § 636(b)(1). Therefore,

**IT IS HEREBY ORDERED** that the Report and Recommendation of the Magistrate Judge (ECF No. 33) is APPROVED and ADOPTED as the Opinion of the Court.

**IT IS FURTHER ORDERED** that the supplemental motion for Section 406(b) attorney fees (ECF No. 31) is GRANTED IN PART AND DENIED IN PART.

**IT IS FURTHER ORDERED** that the request for an additional \$2,100.50 in attorney fees is granted, but the request for the Commissioner to pay is denied. Counsel must attempt to recover the amount in question from Plaintiff directly.

Dated: November 18, 2020

/s/ Paul L. Maloney  
Paul L. Maloney  
United States District Judge